IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, CIVIL JURISDICTION

WRIT PETITION NO.6349 OF 2005

Sou.Sonal Sanjay Satam.....Petitioner

Versus

Shri Sanjay Madhukar Satam & Ors.....Respondents

Mr.Rajesh Gehani, for the Petitioners
Mr. V.P. Malwankar, AGP for Respondent 2 to 4.

CORAM: F.I. REBELLO &
DR. D.Y. CHANDRACHUD,JJ.
DATE : 28th September, 2005

P.C.:

. Rule. Learned A.G.P. waives notice for respondent Nos.2,3 and 4. In view of the order to be passed notice to respondent No.1 dispensed with. Petition for divorce by mutual consent has been filed by the petitioner. The respondent No.1 is presently in custody in respect of an offence registered against him. The apprehension of the petitioner is that if the respondent No.1 is not available then if the period expires no decree could be passed in the pending petition for divorce. There is an affidavit filed by respondent No.1 which is Exhibit "B" to the petition and in para.4 is it set out that the respondent No.1 and petitioner have decided to obtain divorce by mutual consent. Considering the above, the following order:-

. Respondent No.1 is directed to produce the respondent No.1 before the Court of Civil Judge, Senior Division, Thane

in M.P. No.322 of 2004 on 17th October, 2005 at 11.00 a.m. The learned Civil Judge, Senior Division to take up the said case if the respondent No.1 agrees for divorce by mutual consent to dispose of the same expeditiously. Rule made absolute accordingly. No order as to costs. The petitioner to serve a copy of this order on respondent No.3.

(F.I.REBELLO, J.)

(DR. D.Y. CHANDRACHUD, J.)